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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No.: CR 07-289 RMW
)	
Plaintiff,)	PARTIES' STIPULATION AND
)	ORDER CONTINUING
)	STATUS DATE
)	
NAM NGUYEN, et. al.)	
)	
)	
Defendants.)	
)	

The parties stipulate and agree, and the Court finds and holds, as follows:

1. The parties are currently scheduled to appear before this court on Monday, March 9, 2009 at 10:00 a.m.. Plea agreements have been provided to all defendants.

2. Additional time is requested so that the defendants may discuss and further consider the plea agreements with their respective counsel.

3. The companion case, CR 07-290 RMW, which involves defendants Son Nguyen, Duc Nguyen and Huy Ngo, is next scheduled for March 23, 2009 at 9:00 a.m. for status or change of plea. The parties respectfully request that the instant case, CR 07-289 RMW, also be continued until March 23, 2009 at 9:00 a.m.. for change of plea or status.

1 4. Counsel for defendants Huy Ngo, Kim Mai and Jimmy Nguyen have been contacted by
2 government counsel and agree to this request.

3 5. The parties request one final continuance in this matter and ask that the matter be
4 continued until March 23, 2009 at 9:00 a.m.. The ends of justice served by such a continuance
5 outweigh the best interests of the public and defendants in a Speedy Trial within the meaning of
6 Title 18 U.S.C. §3161(h)(8)(A). The parties stipulate that the time between March 2, 2009 and
7 March 16, 2009, shall be excluded from the period of time within which the speedy trial must
8 commence under the Speedy Trial Act, 18 U.S.C. §3161 et. seq., pursuant to Title 18, United
9 States Code, Section 3161(h)(8)(A), considering the factors set forth in §3161(h)(8)(B). It is
10 stipulated that the ends of justice outweigh the best interest of the public and defendants in a
11 speedy trial and the denial of the stipulation to continue the status hearing would unreasonably

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1 deny the defendants reasonable time necessary for effective preparation of the defense.

2 SO STIPULATED.

3 Dated: March 6, 2009

Respectfully submitted,

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5 /s/ Susan R. Jerich
6 SUSAN R. JERICH
Assistant United States Attorney

7
8 /s/ Jack Gordon, Esq.
9 Attorney for Huy Ngo

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11 /s/ Geoffrey Braun, Esq.
Attorney for Kim Mai

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13 /s/ David C. Johnson, Esq.
14 Attorney for Nam Nguyen

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16 /s/ Robert E. Carey, Jr., Esq.
Attorney for Jimmy Nguyen

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19 SO ORDERED.

20 DATED: 3/20/09

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Honorable Ronald M. Whyte